

these new colonies were suffering. And Burke in his great speech for conciliation with America says: "How can I draw an indictment against a whole people?" And then he goes on in other words to call them a great, mighty and numerous people. Coming down to the Congress of 1774, we find it was one of their first acts after they met, when General Gates had barricaded Boston, to remonstrate with them, declaring that such measures were calculated to irritate a free people otherwise disposed to peaceable measures, and force them into hostilities. They do not say "force these colonies" or "force these States," but "force a free people." One of the last acts of that Congress was a petition in which they represent themselves as "his majesty's most faithful and loyal people:" not "his Majesty's most faithful and loyal colonies," but "people." Coming down still later to the Congress of 1776, Chancellor Kent says: (page 213.)

"In May 1775, a Congress again assembled at Philadelphia, and was clothed with ample discretionary power. The delegates were chosen as those of the preceding Congress had been, partly by the popular branch of the Colonial Legislature when in session, but principally by conventions of the people in the several colonies. They were instructed to 'concert, agree upon, direct, order and prosecute' such measures as they should deem most fit and proper to obtain redress of American grievances, or in more general terms, they were to take care of the liberties of the country."

Hastening on to the time of the confederation—for I must leave out many things I wanted to say—we see by the very articles of the Constitution that there was something of the nature of a compact between these States; and we shall presently see the difficulties and evils resulting from that very compact which this Constitution was formed to remedy. Even during the old confederation, the allegiance did not pass from the people; and in the closing lines of the articles of confederation we see that it was intended that the Union should be perpetual. They say:

"And that the articles thereof shall be inviolably observed by the States we respectively represent, and that the Union shall be perpetual. In witness whereof, we have hereunto set our hands in Congress."

The defects of the old confederation which this Constitution was intended to remedy, will be apparent from what Chancellor Kent says of them on page 222:

"As danger receded, instances of neglect became more frequent, and before the peace of 1783, the inherent imbecility of the government had displayed itself with alarming rapidity. The delinquencies of one State became a pretext or apology for those of another. The idea of supplying the pecuniary exigencies of the nation from requisitions on the

States, was soon found to be altogether delusive. The national engagements seem to have been entirely abandoned. Even the contributions for the ordinary expenses of the government fell almost entirely upon the two States which had the most domestic resources. Attempts were very early made by Congress and in remonstrances the most manly and persuasive to obtain from the several States the right of levying, for a limited time, a general impost, for the exclusive purpose of providing for the discharge of the national debt. It was found impracticable to unite the States in any provision for the national safety and honor. Interfering regulations of trade and interfering claims of territory were dissolving the friendly attachments and the sense of common interest which had cemented and sustained the Union during the arduous struggles of the revolution. Symptoms of distress and marks of humiliation were rapidly accumulating. It was with difficulty that the attention of the States could be sufficiently exerted to induce them to keep up a sufficient representation in Congress to form a quorum for business. The finances of the nation were annihilated. The whole army of the United States was reduced in 1784, to 80 persons; and the States were urged to provide some of the militia to garrison the Western posts. In that, to use the language of the authors of the Federalist, "each State yielding to the voice of immediate interest or convenience, successively withdrew its support from the confederation, till the frail and tottering edifice was ready to fall upon our heads and to crush us beneath its ruins."

That is a model States' rights government.

Now what does the Declaration of Independence say? Following up that same idea that they were a united people, they say in the Declaration of Independence:

"When in the course of human events it becomes necessary for one people to dissolve the political bonds which have connected them with another," &c.

Not when it becomes necessary for "these colonies" or for "these States," but for "one people."

Coming up still further to the formation of our own Constitution; was that formed by the States in their sovereign capacity? No, sir. Some five States met at Annapolis in order to devise measures to redress their wrongs arising under the defects of the old confederation; but when they met they found the necessary changes were so radical that they would not attempt to make them, but recommended to Congress to call a Convention to be elected by the people in order to frame a new Constitution. Congress upon that suggestion called a Convention, which was elected by the people, and that Convention formed our present Constitution. When it was formed it was sent to Congress. Did